

Official

D 1
Increasing temperature and pressure in the chamber until the temperature in the chamber reaches at least 121°C; thereby avoiding deformation of the package.

25. (Amended) The method of claim 21, wherein the material of the cap is high density polyethylene.

D 2
26. (Amended) A method for sterilizing a closed, squeezable pharmaceutical package wherein the package comprises a polypropylene bottle with a cap, wherein the cap consists of a material with a modulus of elasticity different from polypropylene, and wherein the pharmaceutical package is suitable for the controlled dispensation of an ophthalmic liquid and an ophthalmic gel, comprising the steps of:

disposing an amount of a member selected from the group consisting of an ophthalmic liquid and an ophthalmic gel within the package;
closing the package with the cap to yield a closed package;
placing the closed package into an autoclaving chamber; and
increasing temperature and pressure in the chamber until the temperature in the chamber reaches at least 121°C; thereby avoiding deformation of the package.

D 3
29. (Amended) The method of claim 26, wherein the material of the cap is high density polyethylene.

Remarks

Favorable consideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 21-29 are pending in the application. Claims 21-29 have been rejected. Claims 21, 25, 26 and 29 have been amended. Claims 24 and 28 have been cancelled without prejudice.

Claims 21-29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over EP 0322134 (EP'134) in view of GB 1,544,260 (GB '260). The Examiner essentially contends that one skilled in the art would have motivated to modify the method described in EP'134 and replace the means of preventing deformation (the step of completely filling the bottle with liquid and eliminating the air) with the means to prevent deformation described in GB'260 (the step of filling the bottles with liquid wherein air is still present in the bottle) to sterilize the bottle.

Applicants traverse the rejection and respectfully submit that the combination of EP'134/GB'260 does not render obvious the presently claimed subject matter for the reasons stated below.